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SIPDIS

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SIPDIS

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TAGS: KCRM PHUM KWMN SMIG KFRD ASEC PREF ELAB  
SUBJECT: INDONESIA ANTI-TRAFFICKING IN PERSONS (TIP)  
REPORT, March 2005 to March 2006 (PART 4 OF 4)

POLICE APPROACH TO INVESTIGATIONS

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Update

Beginning as early as 2001, the police established women's help desks (RPK) to protect women and child victims of violence, including trafficking, and also to aid in investigations of these crimes. The police have steadily expanded the number of RPK, totaling 280 such desks as of February 2007. End update.

Anti-trafficking NGOs report increasing levels of cooperation with police and prosecutors in some parts of eastern Indonesia. East Java NGOs report a greater police awareness of human trafficking as a crime and increased sensitivity to victims and their needs during interviews. A good example of greater cooperation is the East Java ATT, formed during 2006. Its 26 members from around the province meet monthly to discuss human trafficking trends and best practices in victim assistance. They also form anti-trafficking policy and are developing an anti-trafficking legislative agenda for submission to the provincial legislature. The provincial government offices participating in the East Java ATT are the Community Empowerment Board, the Regional Planning Development Board, the Health Office, the Manpower and Transmigration Office, East Java police, several government hospitals, the Immigration Office and the East Java Attorney General's Office. (Surabaya input)

West Lombok anti-trafficking NGOs, on the other hand, report little change in local government and police's apathetic attitude toward the thousands of trafficking victims sourced from the province. They implicate local government officials in actually running overseas employment agencies engaged in dubious employment practices while serving as local Manpower or Immigration officers.

The Central Sulawesi Child Protection Agency (CSLPA) reports a rapidly growing trafficking problem in Palu that was only recently identified. Central Sulawesi Police intercepted a boat carrying twenty-two 14 to 16 year old girls from East Java. The police investigation uncovered a ring based in Surabaya moving several boatloads of girls per month to be indoctrinated at a brothel in Palu then trafficked to Kalimantan and eventually to Malaysia for employment as commercial sex workers. The boat captain escaped and police eventually released the Palu brothel owner due to a lack of local laws defining the activity as a crime.

As noted above, police continued actions to investigate traffickers, break up trafficking rings, arrest traffickers and free victims during this period. Police trained under the DOJ/ICITAP program carried out qualitatively improved investigations of trafficking during 2005, according to U.S. Mission observations. In most incidents, however, police were largely reactive in their investigations, taking actions in response to complaints by family members, escaped trafficking victims, civil society groups, NGOs, the press and other government officials. Police more readily took action in the case of children trapped in prostitution, rather than adults forced into or trapped

in, the sex industry.

In 2005, certain police districts, including Jakarta and North Sumatra, formed specialized investigative units focused on crimes against women and children, with the units referred to be the abbreviation RENATA. In 2006 the RENATA unit in Medan, North Sumatra, consisted of 18 full-time female police investigators, led by a senior female police official, and focused most of its work on cases of domestic violence and trafficking in persons. As noted above, in 2005 North Sumatra carried out more anti-trafficking law enforcement actions than any other province, per available data. Jakarta's RENATA unit achieved some high-profile success in 2005 with the arrests of two traffickers sending young women into prostitution in Japan.

GOI officials and NGOs often criticized police officers as too passive in combating trafficking absent specific complaints. Although police were often aware of underage prostitutes or other trafficking situations, they frequently did not intervene to protect victims or arrest probable traffickers without specific reports from third parties. Police in some areas facilitated and accepted at face value efforts by pimps to obtain written statements by prostitutes, which "verified" that the prostitutes were of adult age and had consented to their roles. Police in some areas generally accepted trafficking or trafficking-like situations, whether out of lack of awareness of trafficking as a crime, their direct or indirect involvement in trafficking, their individual financial interest in prostitution, lack of police resources for operations, or competing law enforcement priorities.

To aid in trafficking investigations, cases involving Indonesian migrant workers, and other crimes, beginning in 2003 the police posted liaison officers in Indonesian embassies in Saudi Arabia, Malaysia, Australia and Thailand. These police liaison officers contributed to growing law enforcement cooperation particularly with Malaysia. The Indonesian police liaisons in Australia and Saudi Arabia have also helped to investigate trafficking in the past.

#### INVESTIGATIVE TECHNIQUES

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In some instances, the police, particularly those who had received anti-trafficking training, used active investigation techniques to develop trafficking cases. The police used undercover operations to some extent. In the past, police occasionally employed electronic surveillance using technical expertise developed for counter-terrorism. Information collected through electronic surveillance is not admissible in Indonesian courts except in cases of terrorism. The cooperation of victims and witnesses was important to police and prosecutors in making cases against traffickers. According to a number of the police, GOI officials and NGOs, victims frequently avoided testifying because of the prolonged nature of court cases, their desire to return to their home areas and lack of financial assistance to maintain themselves. This complicated prosecution efforts. In some cases, police did not detain suspects, who then subsequently disappeared and did not present themselves in court.

#### SPECIALIZED TRAINING

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##### Update

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Training of law enforcement officials by USG and international NGOs greatly increased this year, with strong cooperation by Indonesian officials. In 2006, the Asia Foundation trained 72 religious judges representing nearly 60 percent of the 120 Islamic court judges in Aceh in adjudicating trafficking cases. IOM has also trained 539 prosecutors and 240 judges (including all 60 members of the Supreme Court), 539 prosecutors and 722 police. DOJ has trained 200 police in 2006 and an additional 120 from

January to February 2007 and 106 prosecutors and judges. Other governments and organizations have also done training of law enforcement officials. Well in excess of a thousand police, prosecutors and judges were trained in 2006, not counting training done by those already trained by internationally-sponsored trainers. Joint training has taken place as well, such as IOM training of police, prosecutors, immigration officials and judges in December 2006.

The Manpower Ministry trained labor inspectors and officials responsible for migrant workers on the worst forms of child labor and trafficking, a total of 172 in ten provinces.

Indramayu Manpower office hosted the training on using Video Training and Campaign Kit in August 2006, attended by 24 counselors who are part of the BP2TKI Manpower Ministry pilot project. End update.

Beginning in 2003, the GOI and POLRI, using their own budgets, began to provide some training to officials and law enforcement officers on TIP and related subjects at the national and local levels, a positive change from previous years. NGOs at times served as resource persons for such training. POLRI has welcomed anti-trafficking training assistance from the U.S. via the Department of Justice/ICITAP, which continued in 2006 after a break in funding in 2005. The International Organization for Migration (IOM) continued to provide some anti-trafficking training to the police over the past year.

#### COOPERATION WITH OTHER GOVERNMENTS

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The GOI cooperated with other governments, particularly Malaysia, in the investigation and prosecution of trafficking cases during this reporting period. Indonesian and Malaysian law enforcement officers worked together to stop criminal operations trafficking women and girls into prostitution in Malaysia, and trafficking of babies to Malaysia. Indonesian and Singaporean police also cooperated in the investigation of a ring sending Indonesian prostitutes to Singapore. It was unclear whether the prostitutes were trafficked.

In the past, Indonesia and Australia cooperated in the investigations of Australian pedophiles victimizing children in Bali, and syndicates trafficking women to Australia.

Indonesian police and other officials cooperated actively with U.S. law enforcement to arrest and expel wanted American citizen pedophiles (see below).

#### EXTRADITION

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Indonesia maintains extradition treaties with only five countries or territories, but very seldom utilizes this mechanism to seek extradition of its citizens, preferring less formal options such as rendering and deportation. Indonesia does not have a history of extraditing or rendering its own citizens to other countries.

Indonesia did not extradite any traffickers during this reporting period and there were no reports of such requests from other countries.

Indonesian police and officials have cooperated with foreign governments, including the U.S. and Australia, in the apprehension and repatriation of foreign sex offenders.

#### GOVERNMENT INVOLVEMENT IN OR TOLERANCE OF TRAFFICKING

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Some government officials and individual members of the security forces facilitated, tolerated, or were involved in TIP on a variety of levels. The GOI in past reports acknowledged this fact, which has been widely reported by groups working on trafficking. The most common example of such complicity was in the production of national identity cards. In local communities, low-level officials certified false information to produce national identity cards and family data cards for children to allow them to work as adults. They commonly did so in order to collect bribes and also to assist poor families in gaining additional wage earners. In most cases, these officials facilitated such cards without knowing the children will be trafficked. In a much smaller number of cases, the local officials presumably were aware that they are facilitating trafficking. Based on the identity cards, traffickers processed passports and work visas for children who otherwise would not be able to obtain such documents. With less than 30 percent of all births registered in the country, and such registrations also subject to falsification, authorities often had little legal basis to challenge documents containing false information.

Some officials in local Manpower offices (Disnaker) reportedly licensed and tolerated migrant worker recruiting agencies despite the officials' knowledge of the agencies' involvement in trafficking. In return for bribes, some Immigration officials turned a blind eye to potential trafficking victims, failing to screen or act with due diligence in processing passports and immigration control. Local governments' informal or formal regulation of and alleged profiteering from established prostitution zones in larger cities also raised concerns about local officials' involvement and tolerance of trafficking.

Individual members of the police and military were associated with brothels and prostitution fronts, most frequently through the collection of protection money, which was a widespread practice. Sometimes off-duty security force members worked as security personnel at brothels. Security force members also involved themselves in prostitution as brothel owners or through other illicit business interests, according to NGOs and other reports. As one prominent example, NGOs continued to report the involvement of Indonesian navy personnel and police in the Dolly prostitution complex in Surabaya, one of Southeast

Asia's largest brothel areas. A 2005 NGO examination of trafficking in Papua also found indications of police and military personnel involved in trafficking.

NGOs described the involvement in TIP of individual police and military members primarily as one of extorting protection money from brothel owners and pimps, and of not taking proactive steps to free underage or other trafficked prostitutes. In past years, there have been reports of police officers assisting pimps to return runaway prostitutes to brothels. The NGOs did not report any examples of security force members actively recruiting or forcing children into prostitution.

Police, public order officials and military members sometimes clashed as a result of raids on prostitution areas, publicly highlighting the link between security force members and the sex trade. Examples of such clashes occurred in Padang, West Sumatra, in 2005 and in Sukabumi, West Java, in February 2006.

In some cases, the police tolerance of trafficking, profiteering from the sex trade, and/or lack of understanding of the law limited or delayed their actions

in response to complaints. On occasions in the past, national police headquarters intervened with local police units to generate actions, after the local units failed to respond to direct complaints.

Police and officials often did not recognize the relationship of debt bondage and trafficking of women and girls for prostitution.

#### DEBT BONDAGE INSTITUTIONALIZED

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The recruiting process for Indonesians working as unskilled or semi-skilled labor abroad tends to institutionalize debt bondage, which technically is illegal under Indonesian law. Migrant worker recruiting agencies commonly hold prospective workers in debt bondage. The indebtedness stems from processing fees charged to the workers by the agencies and costs incurred by the agencies prior to the departure of workers for jobs overseas. Prospective migrant workers can remain in holding centers for months at a time, awaiting placement and departure. In some cases, such situations degenerate into jail-like conditions, with poor food and sanitation, and with workers unable to leave locked warehouses where they are housed. There often appeared to be widespread societal acceptance and tolerance by GOI officials and law enforcement of such migrant worker conditions. Situations of debt bondage commonly continued with overseas employers.

The Manpower Ministry and the Jakarta police launched raids on unlicensed migrant worker agencies, some of which kept women and girls under inhumane conditions (see above). U.S.-funded NGOs, the ILO and others examined the basis for legal challenges to debt bondage and alternative means of organizing migrant worker recruitment. There was a gradual increase in awareness among some Indonesian officials that the GOI should address the issue of debt bondage.

#### STEPS TO END OFFICIALS' INVOLVEMENT IN TRAFFICKING

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##### Update

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As reported above, the GOI has begun to seriously take action against officials involved in trafficking, including corruption charges, administrative sanctions, dismissals and transfers. The impact of these few but unprecedented actions is beginning to change the culture of impunity. Unfortunately, this type of action is not being applied to military officials who abet trafficking, particularly of women and girls trapped in prostitution. Muslim teachers in one community related how military personnel visited a prostitution area daily to collect money from pimps, an area where many women and girls are known to be trafficked. End update.

The GOI did not provide details regarding actions taken against civil officials suspected of involvement in trafficking. From time to time, the GOI applied administrative sanctions against officials involved in passport or other document fraud. Criminal prosecutions for such actions are not common. There were no GOI reports of the security forces prosecuting or disciplining their own members for involvement in prostitution or other activities related to trafficking.

#### FOREIGN PEDOPHILES PROSECUTED, DEPORTED

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##### Update

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On December 19, a court in Mataram, West Nusa Tenggara sentenced an Australian, Donald John Stern, to four years

in jail. Another Australian is currently on trial at the South Jakarta Court. A third committed suicide believing police were about to arrest him. There were no American citizen pedophiles extradited in 2006 and none are known to operate there now. Three American citizen pedophiles were extradited from Bali in 2005.

During 2006 Consulate Surabaya Regional Security Officer and the FBI worked a joint anti-pedophile operation with Balinese police. The operation resulted in the closure of a massage parlor and several arrests.

Police say pedophile cases are particularly difficult to pursue since affected boys and girls and their families are reluctant to file reports against the perpetrators. End update.

The police actively investigated reports of foreign pedophiles operating in Indonesia. In 2004, these efforts led to the arrest, prosecution, and conviction of an Australian pedophile in Bali in May 2004, and of a Dutch pedophile in West Nusa Tenggara also in May 2004. In 2005, a court in Bali sentenced a French pedophile to 30 months in jail. Police in Bali arrested a suspected Dutch pedophile in July 2005, but the case remains under investigation. In February 2006, the GOI deported an Australian pedophile who had escaped from a jail in western Australia.

#### RATIFICATION OF INTERNATIONAL INSTRUMENTS

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Indonesia has signed and in most cases ratified international instruments related to the worst forms of child labor and the trafficking of women and children:

- The GOI signed ILO Convention 182 concerning the elimination of the worst forms of child labor and ratified this with Law No. 1 of 2000 on March 8, 2000.
- Indonesia ratified ILO Convention 29 on Forced Labor in 1950. The GOI ratified ILO Convention 105 on the Abolition of Forced Labor in 1999.
- Indonesia signed the Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography, and ratified this in September 2001.
- Indonesia signed in December 2000 the UN Convention Against Transnational Organized Crime and its Protocol to Prevent, Suppress and Punish Trafficking in Persons. The GOI has not yet ratified the Convention and Protocol.
- On September 25, 2003, Indonesia signed the Convention for the Suppression of the Traffic in Persons and the Exploitation of the Prostitution of Others, 1950, and the Convention's Final Protocol. Indonesia has not yet ratified these instruments.

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#### IV. PROTECTION AND ASSISTANCE TO VICTIMS

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##### GOVERNMENT ASSISTANCE TO VICTIMS

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##### UPDATE

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National and local level assistance efforts continued or increased over the past year, although they remained small in comparison with the scope of the problem. The police increased women's help desks in police departments from 237 to 280 nationwide. The GOI and police increased from 18 to 38 the number of operational "integrated service centers," providing health services to TIP and other victims of violence. With U.S. assistance, the police upgraded such centers to become full medical recovery centers specifically for trafficking victims, and opened a third medical center. The GOI operates four medical centers treating trafficking victims. The GOI pays for about a third of the cost of treating victims by offering intensive care treatment for the cost of ordinary care funded by IOM. These trafficking victim recovery centers treated thousands of patients since opening in 2005. The integrated service centers in Jakarta at the Kramatjati police hospital as well as service centers in Surabaya, Pontianak and Makassar support services such as temporary shelter, medical, psychological, and legal assistance provided at these centers.

Authorities continued to round-up and deport a small number of foreign prostitutes without screening them for possible trafficking victims. Various GOI offices and diplomatic missions received training on TIP victim recognition and assistance, training for personnel at the Mission in Malaysia, making great progress in 2006.

As of March 2006, there were 41 hospitals with integrated service centers in 26 provinces, an increase from 11 in 2005.

The GOI at various levels and to varying degrees assisted its citizens who fell victim to trafficking. National and local level assistance efforts continued or increased, but remained small in comparison with the scope of the problem. In general, the GOI provided modest but more structured assistance to Indonesians trafficked abroad. In contrast, government assistance specifically for internal trafficking victims remained minimal. Local government assistance usually appeared ad hoc and often focused on cases with a public profile.

The police further increased the number of its women's help desks (RPK), units established to assist women and children who fall victim to violence including trafficking, and to help related investigations. The total number of such units at the province and district levels has gradually increased from 163 in 2003 and 226 in 2005, to a total of 280 women's help desks in 2006. The women's desks provided temporary shelter, special police handling, and some level of legal services for victims. The women's desks often cooperated with local NGOs, which arranged for medical and psychological services, and longer term shelter. Distrust of the police discouraged some victims from using these desks. In 2006, the national police was in the process of restructuring women's help desks to become a Service and Protection Unit for Women and Children (P3A Unit) which will be established in every district/city level police office.

An increasing number of NGOs and community based organizations have set up Women's Crisis Center, Drop in Centers or Shelters, and now the number of these centers has increased from 11 units to 34 units in 2006, in 15 provinces. End update.

Local governments worked together with NGOs and civil society groups to establish and operate shelters for TIP victims, in key transit points like Dumai, Riau Province,

and Batam, Riau Islands Province, and in Entikong on the West Kalimantan border with Malaysia. Local governments also used social services offices and police women's desks as temporary shelters. Women's bureaus in provinces like East Java, North Sumatra, and Riau Islands budgeted modest funding for victims' services.

The Foreign Ministry operated shelters for trafficking victims and migrant workers at its embassies and consulates in a number of countries, including Malaysia, Saudi Arabia, Kuwait, and Singapore. These diplomatic establishments sheltered thousands of Indonesian citizens, including trafficking victims. Indonesian diplomatic missions, in coordination with other GOI agencies, assisted with repatriation of trafficking victims.

The Manpower Ministry has an Overseas Worker Protection Directorate. The GOI upgraded this office over the period 2001-2003 and dramatically increased its budget. The Directorate regulates migrant worker recruiting agencies, provides limited training to migrant workers, and assists and repatriates overseas workers fleeing abusive situations. Some of the repatriated female migrant workers fit the definition of trafficking victims.

The Social Affairs Ministry founded a Sub-Directorate of Social Assistance for Victims of Violence and Migrant Workers in 2001. In 2002, the Ministry upgraded this office to become a Directorate, with greater authority and budget, responding in part to the demand for action against TIP. In terms of trafficking, the Directorate primarily assisted victims returning from overseas since domestic cases normally fall under the responsibility of local governments. The Ministry provided some repatriation assistance to tens of thousands of migrant workers, the vast majority of whom returned from Malaysia. This included transportation, basic medical care, and food for some of these returnees. The Directorate provided some training to provincial Social Affairs offices. The Ministry also operated women's rehabilitation centers and assists with crisis centers, including the Children's Crisis Center established in Jakarta in 2002.

The provincial government in East Java established a women's crisis center in 2003 that serviced trafficking victims and other women who suffered violence. Police and public hospitals provided medical care to trafficking victims, in accordance with a GOI directive (see below).

In 2004 the Women's Ministry, with input from international and local NGOs, finalized standard operating procedures (SOPs) to be used when assisting trafficking victims to ensure their protection. This was in accordance with the anti-trafficking National Action Plan's goal of having the SOPs in place by 2004. The Ministry began to train officials in the SOPs during 2005.

The Social Affairs Ministry, the Women's Ministry, the Health Ministry and POLRI signed a coordination agreement in October 2002 to provide "integrated service centers" (PPTs) for women and children who are victims of violence. As part of this MOU, the GOI assigned police hospitals, like the Kramat Jati police hospital in Jakarta and the Bhayangkara hospital in Surabaya, to be the medical treatment points for migrant workers who return from abroad with serious medical or psychological problems. In other locations, public hospitals operate the service centers, in coordination with the ministries and the police.

After 2002, the Jakarta police hospital, as a PPT, began treating hundreds of trafficking victims annually. With the assistance of a U.S.-funded IOM project, Indonesia police upgraded the Jakarta police hospital facility to become a full medical recovery center for victims of trafficking, the first in Indonesia. The center provides comprehensive medical care, including psychological treatment, to TIP victims, most of whom have returned from abroad. The medical center, which officially opened in its new form in June 2005, has capacity for 30 in-patients. During 2006, the hospital treated 777 in-patients and 161 out-patients.

IOM and Save the Children also supports the process of return and reintegration of trafficked persons, working with a variety of GOI agencies. In the period of March 2005 to January 2007, IOM supported assistance provided to as many as 1,966 trafficking survivors (1,362 female, 153 male, and 443 children) - 459 of them originated from West Kalimantan with the majority of these cases involving exploitation in Malaysia.

Some government medical facilities and NGO clinics conducted HIV/AIDS screening, but this did not appear to be widespread or systematic.

#### GOI SUPPORT FOR NGO SERVICES TO VICTIMS

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The GOI provided some funding to domestic NGOs and civil society groups that supported services for TIP victims, usually as part of a larger program rather than one focused exclusively on trafficking. At the national level, for example, the People's Welfare Coordinating Ministry and the Social Affairs Ministry provided food assistance to social centers and safe houses nationwide. Local governments in North Sulawesi, North Sumatra, West Kalimantan, Riau Islands, and East Java funded NGOs to provide services to some victims, including shelters, medical exams and training.

#### SCREENING AND REFERRAL OF VICTIMS

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In Jakarta, a screening system is in place at the international airport to refer cases of abused migrant workers and trafficking victims to the city's police hospital (see above). NGOs active in migrant worker advocacy also identify and refer returned migrant workers who need medical attention. An NGO screening process was also in practice in Surabaya.

Women's help desks at provincial and district level police offices typically have formal or informal arrangements in place with local NGO's to provide short-term shelter and a modicum of care for trafficking victims. In general, long-term care does not appear to be available. A current U.S.-funded project, implemented by IOM, has begun to develop models of better and longer-term care for trafficking victims.

#### RESPECT FOR THE RIGHTS OF VICTIMS

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The GOI's written policy, found in its annual trafficking report, is that, "from a legal perspective, the Government treats persons who are trafficked not as criminals, but as victims who need help and protection." The People's Welfare Coordinating Ministry, the Women's Ministry, and training conducted by international NGOs and DOJ/ICITAP, reinforced this policy during the year in public settings and trainings of police and other officials. Police who received ICITAP training demonstrated greater awareness of and respect for TIP victims.

Local government and police practice varied, particularly in the lower ranks of law enforcement agencies. Local governments, exercising greater authority under the nation's decentralization program, sometimes enacted regulations that tend to treat trafficked prostitutes as criminals, contrary to national policy. In many instances, GOI officials and police actively protected and assisted victims. In other cases, police officers treated victims, particularly trafficked prostitutes, as criminals, subjected them to detention, and took advantage of their vulnerability to demand bribes and sexual services. The media and lower level officials, including police, frequently failed to protect victims' identities and commonly provided victims' names to the public.

The GOI's policy is not to detain or imprison trafficking victims. Police implementation of this policy varies in practice. Not all local government laws comply with this policy. Local police often arrested prostitutes, presumably including trafficking victims, who operated outside recognized prostitution zones on charges of violating public order. Police raids on prostitute areas commonly resulted in the arrest of prostitutes, rather than users or pimps. On occasion, the police detained victims, sometimes to gain their testimony or in the belief they were protecting the victims from traffickers. In other cases, police detained victims in order to extract bribes.

While there appeared to be a growing understanding of the need to protect Indonesian victims of trafficking, this was not the case for foreign prostitutes. In Jakarta, police and immigration officials in August 2005 rounded up and deported foreign prostitutes from China, Russia and Uzbekistan without screening them as possible trafficking victims or protecting their identities from intrusive media coverage.

#### ENCOURAGING VICTIMS TO ASSIST INVESTIGATIONS/PROSECUTIONS

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The GOI encourages victims to assist in the investigation and prosecution of traffickers. The GOI reported that victims frequently were reluctant or refused to provide testimony out of shame and fear of retribution against themselves and their families. There are no specific legal mechanisms for victims to seek compensation from traffickers.

In previous periods, there have been reports of police officers who refused to receive complaints from trafficking victims, but insisted instead that victims and traffickers reach an informal settlement (for example, payment of debts in return for a prostitute's release from a brothel).

#### PROTECTIONS FOR VICTIMS AND WITNESSES

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Update

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The Law and Human Rights Ministry and the Women's Ministry drafted a Witness and Victim Protection bill which was passed into law in 2006. End update.

The functions of the women's help desks at provincial and district level police stations include protection of women and children during the police investigation process of crimes such as trafficking. Some of the desks functioned reasonably well, while others did not function adequately. There were no specific reports of the GOI providing special protection to witnesses during court cases on trafficking.

#### TRAINING FOR OFFICIALS TO RECOGNIZE/ASSIST VICTIMS

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The National Action Plan calls for training of government officials in recognizing trafficking and assisting victims, to be carried out in the 2003-2007 timeframe. The GOI conducted such training on an ad hoc basis through various seminars, workshops and government meetings. POLRI and the Manpower Ministry both conducted anti-trafficking training, including victim recognition, over the past year.

NGOs and international organizations have assisted in the training of Indonesian officials. IOM and ICMC have worked with Indonesian diplomatic offices in Malaysia to improve their screening procedures for potential trafficking victims. The Foreign Ministry discontinued the ICMC activity due to perceived political sensitivities in Malaysia.

The relationship between Indonesian diplomatic missions and NGOs abroad that serve trafficking victims appears to vary greatly. A 2005 survey of Indonesian diplomatic offices in Malaysia revealed some working frequently with NGOs and others not. The availability of such NGOs was a factor.

#### ASSISTANCE TO REPATRIATED NATIONALS

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The GOI, both at the national and locals levels, provides some measure of assistance, including limited medical aid, shelter, and financial help, to its repatriated nationals who were trafficking victims. In general, the government at various levels provided more attention and assistance to repatriated victims compared with victims of internal trafficking.

#### NGO'S WORKING WITH TRAFFICKING VICTIMS

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ICMC/ACILS, in their 2003 book, identified 45 local NGO offices around the country that provide services to trafficking victims, most in the context of other social programs. Some of the more prominent NGOs are Solidaritas

Perempuan (Jakarta), LBH-Apik (Jakarta and West Kalimantan), Yayasan Mitra Kesehatan dan Kemanusiaan or YMKK (Batam), Rifka Anisa (Yogyakarta) and LADA (Lampung). Some labor unions also provided services to trafficking victims. The activities of these groups related to TIP include: legal assistance, prevention and education programs, medical services, clinics for children, research and advocacy, counseling, reproductive health, HIV/AIDS prevention, and shelters. More NGOs have emerged over the past several years, including Migrant Care, currently a leading advocacy body for migrant worker rights and anti-trafficking, and Anak Bangsa, a pioneering NGO assisting victims along the Indonesia-Malaysia border area of West Kalimantan.

The GOI's 2004-2005 trafficking report listed service providers for trafficking victims, including women's crisis centers, trauma centers, shelters and drop-in centers set up by local governments, NGOs, and community organizations in 14 provinces. The report also documented dozens of legal aid organizations and their branches across Indonesia that have a mandate to provide legal assistance to victims of trafficking and other violence.

The GOI continued strong cooperation with NGOs over the past year in the area of assistance to trafficking victims. In some cases government offices relied heavily on NGO inputs and advice. GOI offices provided licenses to organizations and access to trafficking victims, included NGOs on national and local action committees, and interceded with law enforcement agencies in some cases to permit NGOs to carry out their activities. NGOs frequently interacted with the police, though mutual suspicions limited the interaction in some areas.

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**V. HEROES**  
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Wahyu Susilo is in the forefront of migrant workers issues in Indonesia through his organization "Migrant Care". In 2000, he initiated the establishment a consortium for the advocacy of Indonesian migrant workers, a network of 80 organizations throughout Indonesia, actively advocating for the improvement of legislation and policy with regard to migrant workers protection. Since migrant workers are prone to being trafficked during the employment process, Wahyu Susilo has tirelessly advocated for the protection of the rights of domestic and overseas Indonesian workers and campaigned for stronger regulations governing recruitment and control of employment agencies. One example of Wahyu Susilo's determination to protect overseas migrant workers is his work relaying first-hand information to the general public as well as Indonesian government on the names of overseas migrant workers whose lives are in danger, including those facing the death penalty in destination countries. He also has documented thousands of Indonesian migrant workers who have disappeared overseas and lobbied the GOI to seek the whereabouts of these missing workers. Such information has helped enhance public awareness and appropriate action by the government.

Employers, government officials and the media pay attention when Wahyu Susilo speaks about protecting migrant workers from human trafficking, labor abuse and other human rights violations by labor recruiters. Wahyu Susilo began helping to make the issue of migrant worker protection a priority in the country's national consciousness following the "Nunukan tragedy." In 2002, some 350,000 undocumented migrant workers were deported from Sabah, Malaysia, to the Indonesian frontier town of Nunukan on the island of Borneo resulting in the deaths of at least 85, with thousands of others starving and contracting various diseases due to the Indonesian government's lack of serious response. Susilo has consistently leveraged his reputation and relationship with the media and government to advocate ceaselessly for migrant worker protections. His success in highlighting these issues has been threatening to some -- and since he is outspoken and well-known, he has become a target of acts of intimidation designed to silence him. His dedication can in part be explained by his roots in a poor community where migrant work was one of the only options for economic survival.

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**VI. BEST PRACTICES**  
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The International Organization for Migration (IOM) in 2006 assisted in the return, recovery and reintegration of over 1200 victims of trafficking in Indonesia. IOM's efforts begin in destination countries and end only when trafficked victims are settled into their home communities. One part of their program entails working with the Indonesian Embassy and consulates in Malaysia, and to assist in the treatment and recovery of victims at recovery centers at the Indonesian Embassy in Kuala Lumpur. IOM works with the Malaysian and Indonesian governments to escort trafficked workers across the border. For IOM staff this has entailed hazardous duty of fighting off thugs who attempt to grab vulnerable victims as they walk from the border immigration

post to a bus on the first stage of their journey home. Staff have been threatened while escorting victims.

In Indonesia, after victims of trafficking have been identified, they are referred to Medical Recovery Centers that are based in Police Hospitals. Currently, there are four Medical Recovery Centers in Police Hospitals in Jakarta, Surabaya, Makassar and Pontianak. The Medical Recovery Center in Jakarta was the first to open and the largest, with the capacity to serve 30 victims of trafficking. Virtually every day since the opening of the center in Jakarta, it has been filled to capacity. With their consent, victims are provided with free and comprehensive medical and psychological care, including testing for sexually transmitted infections and HIV. Victims are put under the care and supervision of doctors, psychologists and social workers in the Recovery Centers. These medical recovery centers are strategically located at police hospitals so that the victims can be linked with appropriate law enforcement officials, if they so choose. After receiving appropriate health services from the IOM, and government, a network of over 80 NGOs and Faith Based Organizations (FBOs), partnering across Indonesia to facilitate the victims return home and reintegration into the community. IOM works with government, local NGOs, Save the Children, FBOs and the individual victims to develop a reintegration assistance plan tailored to the victim's specific needs, which may include the following: follow-up medical care and psychological counseling, housing support; employment and/or education counseling; vocational training; income generating tools, and legal assistance. Importantly, the NGO and FBO will monitor the victim throughout the reintegration period to ensure successful reintegration. During 2006, 1268 victims have been assisted through the comprehensive victim assistance program.

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